

|                          |                         |  |               |  |
|--------------------------|-------------------------|--|---------------|--|
| <b>Interview Summary</b> | Application No.         |  | Applicant(s)  |  |
|                          | 09/754,204 (1/5) (BOTH) |  | GELBER ET AL. |  |
|                          | Examiner                |  | Art Unit      |  |
|                          | Brett T Ozga            |  | 1651          |  |

All participants (applicant, applicant's representative, PTO personnel):

(1) Brett T Ozga

(3) Thomas Powers

(2) Jean Witz

(4) Terry Kramer

Date of Interview: 6/12/01

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description:

Claim(s) discussed: method claims

Identification of prior art discussed:

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

☒ Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See below Oral Election of Species for nutraceutical

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.) Will elect by phone before 6/27, and we will issue a supplemental O.A.

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

clm 69  
☒ (4) → Many combinations - election of species? Reevaluate rej?  
 → Nutraceutical - one biological pathway (not masking)  
 → More evidence needed to overcome prima facie obviousness  
 → Ind. claims too broad? Address embodiments individually

(5) → Similar discussion → Also, election of species clm 72?  
 → Ex show reduction of need?

Nutraceutical elected in Clm 69 of (4), Clm 72 of (5)

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

[Signature]  
 Examiner's signature, if required